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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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TYRONE T. NALL,		Case No. 3:19-cv-00563-LRH-CBC
	Petitioner,	ORDER
v.		
RENEE BAKER, et al.,		
	Respondents.	

Nevada state prisoner petitioner Tyrone T. Nall has filed a *pro se* habeas corpus petition challenging the computation of his consecutive sentences (ECF No. 1-1). His application to proceed *in forma pauperis* is granted. The petition is dismissed as noncognizable on federal habeas review.

Nall is serving 10 consecutive sentences of 32 to 110 months (ECF No. 1-1). He argues that the Nevada Department of Corrections improperly failed to apply statutory credits toward sentences he has already expired or been paroled from. A state prisoner is entitled to federal habeas relief only if he is being held in custody in violation of the constitution, laws or treaties of the United States. 28 U.S.C. § 2254(a). Unless an issue of federal constitutional or statutory law is implicated by the facts presented, the claim is not cognizable under federal habeas corpus. *Estelle v. McGuire*, 502 U.S. 62, 68 (1991). A petitioner may not transform a state-law issue into a federal one merely by asserting a violation of due process. *Langford v. Day*, 110 F.3d 1380, 1381 (9th Cir. 1996). Alleged errors in the interpretation or application of state law do not warrant habeas relief. *Hubbart v. Knapp*, 379 F.3d 773, 779-80 (9th Cir. 2004). Nall presents a

1 state-law issue that is not cognizable in *federal* habeas corpus. Thus, the petition is
2 dismissed.

3 The court further notes that the claim is not cognizable in federal habeas
4 because success on the merits of this claim would not necessarily result in Nall's
5 immediate or faster release as it would not necessarily result in a grant of parole.
6 *Nettles v. Grounds*, 830 F.3d 922, 935 (9th Cir. 2016).

7 The court will not issue a certificate of appealability, as reasonable jurists would
8 not debate the dismissal of this petition.

9 **IT IS THEREFORE ORDERED** that petitioner's application to proceed *in forma*
10 *pauperis* (ECF No. 1) is **GRANTED**.

11 **IT IS FURTHER ORDERED** that the Clerk shall detach and file the petition (ECF
12 No. 1-1).

13 **IT IS FURTHER ORDERED** that the petition is **DISMISSED** as set forth in this
14 order.

15 **IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

16 **IT IS FURTHER ORDERED** that the Clerk shall enter judgment accordingly and
17 close this case.

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19 DATED this 28th day of October, 2019.

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22 LARRY R. HICKS
23 UNITED STATES DISTRICT JUDGE
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